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Via ECF Filing

Honorable Judge Jennifer H. Rearden  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1010  
New York, NY 10007

October 5, 2023

Re: Aurelio Marcelo Flores, individually and on behalf of others similarly situated v. Pizza Pete's LLC (d/b/a Pizza Pete's) and Frank Libretta.  
NY Southern District Court - 1:23-cv-06431-JHR

Dear Honorable Judge Jennifer H. Rearden:

I represent Defendants Pizza Pete's LLC and Frank Libretta in the above referenced matter and cordially request that the Certificate of Default and Default Judgment Motion be withdrawn in addition to an extension of time of 21 days from October 5, 2023 to October 26, 2023 to file a response to the Plaintiff's Complaint. The Defendant's were to respond originally to the Complaint by August 18, 2023.

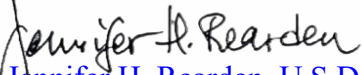
The Plaintiff's counsel has consented to this request and the parties have entered into a Stipulation which is attached hereto as Exhibit A. This is the first extension request filed by the Defendant. I thank the Court for its time in reviewing this request.

Application GRANTED. The deadline for Defendants Pizza Pete's LLC and Frank Libretta to answer or otherwise respond to the Complaint is extended to **October 26, 2023**. No further extensions of this deadline will be permitted absent good cause.

The Certificate of Default and the Motion for Default Judgment are hereby deemed withdrawn.

The Clerk of Court is directed to terminate ECF Nos. 18 and 24.

SO ORDERED.

  
Jennifer H. Rearden, U.S.D.J.  
Date: October 5, 2023

Respectfully submitted,

/s/ Mitchell Segal

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Mitchell Segal